

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 HA-05 CU-06 AID-05 AF-10 ARA-14

EA-12 EUR-12 NEA-10 CIAE-00 DODE-00 PM-05 H-02

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TO SECSTATE WASHDC 8031

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UNCLAS SECTION 1 OF 4 USUN 5086

E.O. 11652: N/A

TAGS: SOCI, SHUM

SUBJECT: 32ND UNGA/THIRD COMMITTEE/ITEM 12, AID TO SOUTH
AFRICAN STUDENT REFUGEES AND MIGRANT WORKERS

1. TWO DRAFT RESOLUTIONS UNDER ITEM 12, A/C.3/32/L.38
(ASSISTANCE TO SOUTH AFRICAN STUDENT REFUGEES) AND
A/C.3/32/L.39 (MEASURES TO IMPROVE THE SITUATION AND
ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT
WORKERS), WERE CIRCULATED NOVEMBER 29. WE SEE NO
PROBLEMS WITH EITHER DRAFT.

2. WE WOULD APPRECIATE COMMENTS AND INSTRUCTIONS,
ON THESE TEXTS AS SOON AS POSSIBLE.

3. QUOTE

THIRTY-SECOND SESSION THIRD COMMITTEE, AGENDA ITEM 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

ASSISTANCE TO SOUTH AFRICAN STUDENT REFUGEES

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ALGERIA, BOTSWANA, BURUNDI, COMOROS, CONGO, GERMANY, FEDERAL
REPUBLIC OF, GUINEA-BISSAU, MALAWI, MALI, MAURITANIA, NIGER,
NIGERIA, RWANDA, SUDAN, SWAZILAND, TOGO, UGANDA, ZAIRE, AND
ZAMBIA: DRAFT RESOLUTION

THE GENERAL ASSEMBLY,

RECALLING ITS RESOLUTION 31/126 OF 16 DECEMBER 1976 REQUESTING THE SECRETARY-GENERAL TO TAKE IMMEDIATE STEPS TO ORGANIZE AND PROVIDE EMERGENCY FINANCIAL AND OTHER APPROPRIATE FORMS OF ASSISTANCE FOR THE CARE, SUBSISTENCE AND EDUCATION OF SOUTH AFRICAN STUDENT REFUGEES,

RECALLING ALSO SECURITY COUNCIL RESOLUTION 417 (1977) OF 31 OCTOBER 1977 WHICH, INTER ALIA, REQUESTED ALL GOVERNMENTS AND ORGANIZATIONS TO CONTRIBUTE GENEROUSLY FOR ASSISTANCE TO THE VICTIM OF VIOLENCE AND REPRESSION, INCLUDING EDUCATIONAL ASSISTANCE TO STUDENT REFUGEES FROM SOUTH AFRICA,

NOTING THE APPOINTMENT BY THE SECRETARY-GENERAL OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES AS CO-ORDINATOR OF ASSISTANCE WITHIN THE UNITED NATIONS SYSTEM TO SOUTH AFRICAN STUDENT REFUGEES,

EXPRESSING DEEP CONCERN THAT THE SOUTH AFRICAN GOVERNMENT CONTINUES TO TAKE MORE AND MORE REPRESSIVE MEASURES AGAINST STUDENTS IN THAT COUNTRY,

NOTING WITH CONCERN THE CONTINUING INFLUX OF SOUTH AFRICAN REFUGEES, INCLUDING IN PARTICULAR STUDENTS, INTO NEIGHBOURING COUNTRIES,

CONCERNED OVER THE PRESSURE ON THE EDUCATIONAL SYSTEMS OF

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THE THREE HOST COUNTRIES AS A RESULT OF THE CONTINUED INFLUX OF CHILDREN FROM SOUTH AFRICAN SEEKING FREEDOM FROM REPRESSION AND ALSO AN OPPORTUNITY TO FURTHER THEIR STUDIES,

HAVING EXAMINED THE REPORTS SUBMITTED BY THE SECRETARY-GENERAL (A/32/65 AND A/32/65/ADD.1) ON THE PROGRESS ACHIEVED IN REGARD TO THE ASSISTANCE REQUIRED BY AND PROVIDED TO THES REFUGEES,

1. ENDORSES THE MEASURES TAKEN BY THE SECRETARY-GENERAL AND THE HIGH COMMISSIONER FOR REGUGEES FOR THE MOBILIZATION OF A PROGRAMME OF ASSISTANCE TO SOUTH AFRICAN STUDENT REFUGEES IN BOTSWANA, LESOTHO AND SWAZILAND;

2. NOTES WITH APPRECIATION THE GENEROUS CONTRIBUTIONS OF THE GOVERNMENTS OF BOTSWANA, LESOTHO AND SWAZILAND IN PROVIDING ASYLUM AND MAKING AVAILABLE EDUCATIONAL FACILITIES FOR THE STUDENT REFUGEES;

3. NOTES WITH SATISFACTION THE CONTRIBUTIONS SO FAR MADE BY MEMBER STATES AND INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS AND UNITED NATIONS AGENCIES;

4. EXPRESSES CONCERN, HOWEVER, THAT THE TOTAL ASSISTANCE

RECEIVED TO DATE FALLS SHORT OF THE NEEDS;

5. URGES ALL GOVERNMENTS, INTEGGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS AND UNITED NATIONS AGENCIES TO CONTRIBUTE GENEROUSLY TOWARDS THE ASSISTANCE PROGRAMMES FOR THESE STUDENTS REFUGEES, BOTH THROUGH FINANCIAL SUPPORT AND BY OFFERING THE NECESSARY OPPORTUNITIES FOR THEIR CARE AND SUBSISTENCE, EDUCATION AND VOCATIONAL TRAINING;

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6. REQUESTS ALL AGENCIES AND PROGRAMMES OF THE UNITED NATIONS SYSTEM INCLUDING, IN PARTICULAR, THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION, THE UNITED NATIONS DEVELOPMENT PROGRAMME, THE UNITED NATIONS TRUST FUND FOR SOUTH AFRICA, AND THE UNITED NATIONS EDUCATIONAL TRAINING PROGRAMMES FOR SOUTHERN AFRICA, TO ASSIST THE HIGH COMMISSIONER IN CARRYING OUT THE HUMANITARIAN TASK ENTRUSTED TO HIM;

7. REQUESTS THE SECRETARY-GENERAL AND THE HIGH COMMISSIONER FOR REFUGEES TO CONTINUE THEIR EFFORTS FOR THE MOBILIZATION OF EMERGENCY FINANCIAL AND OTHER APPROPRIATE FORMS OF ASSISTANCE FOR THESE STUDENT REFUGEES;

8. FURTHER REQUESTS THE SECRETARY-GENERAL TO:

(A) ARRANGE FOR A REVIEW OF THE MATTER IN TIME FOR IT TO BE CONSIDERED BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTY-FIFTH SESSION;

(B) REPORT TO THE GENERAL ASSEMBLY AT ITS THIRTY-THIRD SESSION.

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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN
RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

ALGERIA, COLOMBIA, ITALY, JAMAICA, MALI, MEXICO, NIGERIA,
PORTUGAL, ROMANIA, RWANDA, SPAIN, TRINIDAD, AND TOBAGO,
TUNISIA, TURKEY AND YUGOSLAVIA: DRAFT RESOLUTION

THE GENERAL ASSEMBLY,

RECALLING THE TERMS OF THE UNIVERSAL DECLARATION OF HUMAN
RIGHTS AND OF THE INTERNATIONAL CONVENTION OF THE ELIMINATION
OF ALL FORMS OF RACIAL DISCRIMINATION,

CONSIDERING THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS OF
1961 AND THE VIENNA CONVENTION ON CONSULAR RELATIONS OF 1963,

CONSIDERING ALSO THE MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS)
CONVENTION, 1975, AND THE RECOMMENDATION CONCERNING MIGRANT
WORKERS, 1975, ADOPTED BY THE
GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANIZATION,

RECALLING ITS RESOLUTIONS CONCERNING MIGRANT WORKERS
AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1749 (LIV) OF 16
MAY 1973 AND 1926 (LVIII) OF 6 MAY 1975, IN WHICH THE COUNCIL
AFFIRMED THE NEED FOR THE UNITED NATIONS TO CONSIDER THE
SITUATION OF MIGRANT WORKERS IN AN INTERRELATED MANNER
AND IN RELATION TO GENERAL FACTORS WHICH HAVE A BEARING ON HUMAN
RIGHTS AND HUMAN DIGNITY,

AWARE THAT THE PROBLEM OF MIGRANT WORKERS CONTINUES TO BE A
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MAJOR IMPORTANCE TO MANY COUNTRIES, THAT IT IS BECOMING
INCREASINGLY SERIOUS IN CERTAIN REGIONS AND THAT THE COMMISSION
ON HUMAN RIGHTS AND OTHER RELEVANT ORGANS OF THE UNITED NATIONS
SHOULD TAKE IMMEDIATE MEASURES TO ENSURE THE HUMAN RIGHTS AND
DIGNITY OF ALL MIGRANT WORKERS,

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EMPHASIZING ITS SERIOUS CONCERN AT THE DE FACTO DISCRIMI-
NATION SUFFERED BY ALIEN WORKERS IN SOME COUNTRIES DEPSITE THE
LEGISLATIVE AND OTHER EFFORTS EXERTED TO PRECENT AND PUNISH IT,

BELIEVING ALSO THAT THE PROBLEM OF MIGRANT WORKERS IS
BECOMING MORE SERIOUS IN CERTAIN REGIONS FOR POLITICAL AND
TRANSIENT ECOJOMIC REASONS AND FOR SOCIAL AND CULTURAL REASONS,

RECALLING THAT THE FAMILY IS THE NATURAL AND FUNDAMENTAL GROUP
UNIT OF SOCIETY AND IS ENTITLED TO PROTECTION BY SOCIETY AND THE
STATE, AND THAT IN THAT CONTEXT THE FAMILIES OF MIGRANT WORKERS
ARE ENTITLED TO THE SAME PROTECTION AS THE MIGRANT WORKERS
THEMSELLVES,

AWARE OF THE WORK DONE IN THE FILED OF MIGRANT WORKERS BY THE
SPECIALIZED AGENCIES, PARTICULARLY THE INTERNAIONAL LABOUR ORGANZ-
ISATION, AND BU OTHER UNITED NATIONS ORGANS, SUCH AS THE SUB-
COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION
OF MINORITIES,

APPRECIATING IN PARTICULAR THE EFFORTS WHICHUNESCO CONTINUES
TO EXCERT IN THE FIELD OF MIGRANT WORKERS,

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CONVINCED IN PARTICULAR THAT AN EFFORT AT CLOSE CO-OPERATION BETWEEN THE INTERNATIONAL LABOUR ORGANIZATION AND UNESCO WILL CONTRIBUTE TO THE IMPROVEMENT OF THE SITUATION OF MIGRANT WORKERS,

AWARE OF THE EFFORTS MADE BY COUNTRIES OF ORIGIN TO FACILITATE THE RETURN OF MIGRANT WORKERS AND THEIR REINTEGRATION INTO THE ECONOMIC AND SOCIAL LIFE OF THEIR COUNTRY,

HAVING REGARD TO ECONOMIC AND SOCIAL COUNCIL RESOLUTION 2083 (LXII) OF 13 MAY 1977,

1. CALLS UPON ALL STATES, TAKING INTO ACCOUNT THE PROVISIONS OF THE RELEVANT INSTRUMENTS ADOPTED BY THE INTERNATIONAL LABOUR ORGANISATION AND OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, TO TAKE MEASURES TO PREVENT AND PUT AN END TO ALL DISCRIMINATION AGAINST MIGRANT WORKERS AND TO ENSURE THE IMPLEMENTATION OF SUCH MEASURES;

2. INVITES ALL STATES:

(A) TO EXTEND TO MIGRANT WORKERS HAVING REGULAR STATUS IN THEIR TERRITORIES TREATMENT EQUAL TO THAT ENJOYED BY THEIR OWN NATIONALS WITH REGARD TO THE ENJOYMENT OF FUNDAMENTAL HUMAN RIGHTS, WITH PARTICULAR REFERENCE TO EQUALITY OF OPPORTUNITY AND OF TREATMENT IN RESPECT OF EMPLOYMENT AND OCCUPATION, SOCIAL SECURITY, TRADE UNION AND CULTURAL RIGHTS AND INDIVIDUAL AND COLLECTIVE FREEDOMS;

(B) TO PROMOTE AND FACILITATE BY ALL MEANS IN THEIR POWER THE IMPLEMENTATION OF THE RELEVANT INTERNATIONAL INSTRUMENTS AND THE ADOPTION OF BILATERAL AGREEMENTS DESIGNED, INTER ALIA, TO ELIMINATE THE ILLICIT TRAFFIC AND ALIEN WORKERS;
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(C) TO TAKE ALL NECESSARY AND APPROPRIATE MEASURES TO ENSURE THAT THE FUNDAMENTAL HUMAN RIGHTS AND ACQUIRED SOCIAL RIGHTS OF ALL MIGRANT WORKERS, IRRESPECTIVE OF THEIR IMMIGRATION STATUS, ARE FULLY RESPECTED UNDER THEIR NATIONAL LEGISLATION;

3. INVITES GOVERNMENTS OF HOST COUNTRIES TO MAKE ARRANGEMENTS FOR ADEQUATE INFORMATION AND RECEPTION FACILITIES AND TO PUT INTO EFFECT POLICIES RELATING TO TRAINING, HEALTH, SOCIAL SERVICES, HOUSING AND EDUCATIONAL AND CULTURAL DEVELOPMENT FOR MIGRANT WORKERS AND THEIR FAMILIES, AND TO GUARANTEE THE FREE EXERCISE BY THEM OF ACTIVITIES CALCULATED TO PRESERVE THEIR CULTURAL VALUES;

4. FURTHER INVITES GOVERNMENTS OF COUNTRIES OF ORIGIN TO GIVE

THE WIDEST POSSIBLE DISSEMINATION TO INFORMATION DESIGNED TO PROVIDE MIGRANT WORKERS WITH THE FULLEST POSSIBLE KNOWLEDGE OF THEIR RIGHTS AND OBLIGATIONS AND TO ENSURE THEIR EFFECTIVE PROTECTION;

5. INVITES ALL STATES TO INTENSIFY EFFORTS TO ENLIGHTEN PUBLIC OPINION IN HOST COUNTRIES ON THE IMPORTANCE OF THE CONTRIBUTION MADE BY MIGRANT WORKERS TO ECONOMIC AND SOCIAL DEVELOPMENT AND TO RAISING THE LEVEL OF LIVING IN SUCH COUNTRIES;

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6. REQUESTS HOST COUNTRIES AND COUNTRIES OF ORIGIN WHICH CONSIDER IT USEFUL TO DO SO TO CO-OPERATE WITH A VIEW TO FACILITATING THE REINTEGRATION OF MIGRANT WORKERS INTO THEIR COUNTRIES OF ORIGIN, REGARDING HAD TO SOCIO-ECONOMIC CONDITIONS IN THE LATTER COUNTRIES;

7. INVITES UNESCO AND THE INTERNATIONAL LABOUR ORGANISATION TO ENSURE JOINTLY, BY APPROPRIATE MEANS, VERY WIDE DISSEMINATION OF INFORMATION CALCULATED TO ELIMINATE THE STEREOTYPES AND PREJUDICES WHICH LED TO THE DE FACTO DISCRIMINATION SUFFERED BY MIGRANT WORKERS;

8. INVITES GOVERNMENTS OF HOST COUNTRIES TO GIVE CONSIDERATION TO ADOPTING DEFINITIVE MEASURES TO PROMOTE IN THEIR TERRITORIES THE NORMALIZATION OF THE FAMILY LIFE OF MIGRANT WORKERS THROUGH FAMILY REUNION;

9. CALLS UPON ALL STATES TO GIVE CONSIDERATION TO RATIFYING THE MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION

1975, ADOPTED BY THE GENERAL CONFERENCE OF
THE INTERNATIONAL LABOUR ORGANISATION;

10. CALLS UPON THE UNITED NATIONS ORGANS AND
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COMPETENT SPECIALIZED AGENCIES, INCLUDING THE INTERNATIONAL
LABOUR ORGANISATION, TO CONTINUE DEVOTING THEIR
ATTENTION TO THIS QUESTION;

11. RECOMMENDS THAT THE COMMISSION ON HUMAN RIGHTS AND
THE ECONOMIC AND SOCIAL COUNCIL SHOULD CONSIDER THIS
QUESTION FULLY AND IN DEPTH AT THEIR NEXT SESSIONS,
IN COLLABORATION WITH THE INTERNATIONAL LABOUR
ORGANISATION, UNESCO AND OTHER INTERESTED AGENCIES OF THE
UNITED NATIONS SYSTEM, ON THE BASIS OF THE INSTRUMENTS
ADOPTED AND THE DOCUMENTS AND STUDIES PREPARED BY THE
UNITED NATIONS AND THE SPECIALIZED AGENCIES, INCLUDING THE
STUDY ON THE EXPLOITATION OF LABOUR THROUGH ILLICIT AND
CLANDESTINE TRAFFICKING AND THE REPORT OF THE SEMINAR ON
THE HUMAN RIGHTS OF MIGRANT WORKERS, HELD AT TUNIS FROM 12
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